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3 **UNITED STATES DISTRICT COURT**
4 **DISTRICT OF NEVADA**

5 ARLYN DAVID HOGARTH,

Case No. 2:21-cv-251-KJD-EJY

6 Petitioner,

7 v.

ORDER

8 CALVIN JOHNSON, *et al.*,


9 Respondents.

10 Petitioner seeks an extension of time to file his first amended petition or inform the Court
11 that an amended petition need not be filed. The Court finds that the request is made in good faith
12 and not solely for the purpose of delay, and therefore, good cause exists to grant Respondents'
13 motion.

14 The new deadline approved in this order falls more than nine months after the original
15 deadline set for Petitioner to file an amended petition. (ECF No. 37.) Lengthy habeas litigation
16 is generally incompatible with the three-year goal set by the Civil Justice Reform Act of 1990
17 ("CJRA"), 28 U.S.C. § 471 *et seq.*, as well as the purposes served by the Antiterrorism and
18 Effective Death Penalty Act ("AEDPA") 28 U.S.C. § 2244 *et seq.*: finality, efficiency, and
19 comity. Based on the lack of progress to date, additional delay may impede this case from
20 reaching a merits determination within three years. Accordingly, any future request for
21 extension of time—even if unopposed—will be carefully scrutinized for good cause.

22 **IT IS THEREFORE ORDERED** that Petitioner's Motion for Extension of Time (ECF
23 No. 46) is GRANTED. Petitioner has until January 18, 2024, to file his first amended petition or
24 inform the Court that an amended petition need not be filed.

25 DATED: December 15, 2023

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28 KENT J. DAWSON
UNITED STATES DISTRICT JUDGE